

JUL 08 2004



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TO: COMMISSIONER FOR PATENTS**From: DAVID WEITZ, REG. NO. 38,362****FAX NUMBER: (703) 872-9306****DATE: JULY 8, 2004**

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19**PHONE NUMBER:****SENDER'S PHONE NUMBER:**

(858) 731-3508

**RE: U.S. APPLICATION SERIAL NO.
09/848,866 - RESPONSE****SENDER'S FAX NUMBER:**
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 URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

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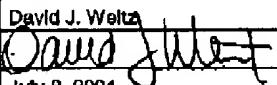
PTO/SB/21 (05-03)

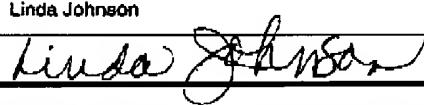
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/848,866
		Filing Date	May 4, 2001
		First Named Inventor	Duncan McRee et al.
		Art Unit	1631
		Examiner Name	Michael L. Borin
Total Number of Pages in This Submission	18	Attorney Docket Number	SYRTECH-5001-U

ENCLOSURES (check all that apply)					
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):			
		<input type="checkbox"/> Remarks Although Applicants do not believe any fees are required, the Commissioner is authorized to charge any fees required by the filing of these papers to Symx's Deposit Account No. 50-2256.			
		SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
		Firm or Individual name	Symx, Inc. David J. Welts		
		Signature			
		Date	July 8, 2004		

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted (703) 872-9306 to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Type or printed	Linda Johnson		
Signature		Date	July 8, 2004

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U.S. Application Serial No. 09/848,866
Response to Communication dated July 8, 2004
Communication mailed June 8, 2004

Docket No. SYRTECH 5001-U

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED
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In re Patent Application of)
Duncan McRee et al.) Group Art Unit: 1631
Application No.: 09/848,866) Examiner: Borin, Michael L.
Filed: May 4, 2001)
Title: DETERMINING STRUCTURES)
BY PERFORMING)
COMPARISONS BETWEEN)
MOLECULAR REPLACEMENT)
RESULTS FOR MULTIPLE)
DIFFERENT BIOMOLECULES)

)

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**RESPONSE TO COMMUNICATION
IN REGARD TO RESTRICTION AS TO SPECIES**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
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Sir:

In response to Examiner's Communication dated June 8, 2004 in regard to the Restriction Requirement mailed April 20, 2004, Applicants respectfully request reconsideration of the above-referenced application in view of the following election, amendment, and remarks.

AMENDED SECTIONS

X Claims appear at pages 2-12

REMARKS/ARGUMENTS

X Remarks / Arguments appear at pages 13-16